

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

KENNETH WATFORD,)
)
Petitioner,)
)
v.) No. 2:20-cv-00032-JPH-MJD
)
B. LAMMER,)
)
Respondent.)

Order Denying Motion for Court Order for Respondent to Produce Document

On July 10, 2020, the petitioner filed a motion asking the Court to order the respondent to produce certain documents required under the Mandatory Victim Restitution Act. Dkt. 20. The Court construes this motion as a motion seeking to obtain discovery.

Rule 6(a) of the Rules Governing § 2254 Cases allows habeas corpus petitioners to conduct civil discovery "if, and to the extent that, the judge in the exercise of his discretion and for good cause shown grants leave to do so, but not otherwise." *Bracy v. Bramley*, 520 U.S. 899, 904 (1997) ("A habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course."). In order to be entitled to discovery, a petitioner must make specific factual allegations that demonstrate that there is good reason to believe that the petitioner may, through discovery, be able to garner sufficient evidence to entitle him to relief. *See id.* at 908-09.

The petitioner does not identify the reason the requested materials are required to show his entitlement to relief. He has not explained how the requested documents are relevant to his petition for a writ of habeas corpus. Additionally, it is unclear whether the respondent has such documents because the petitioner is in federal custody pursuant to a judgment entered in the United States District Court for the District of Maryland. *See United States v. Watford*, Case No. 8:12-cr-00623-

PJM-3, dkt. 265 (D. Md. Oct. 22, 2015). The petitioner therefore has not demonstrated good cause for his discovery requests. His motion, dkt. [20], is **denied**.

SO ORDERED.

Date: 7/21/2020

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

KENNETH WATFORD
56252-037
TERRE HAUTE - FCI
TERRE HAUTE FEDERAL CORRECTIONAL INSTITUTION
Inmate Mail/Parcels
P.O. BOX 33
TERRE HAUTE, IN 47808

Brian L. Reitz
UNITED STATES ATTORNEY'S OFFICE (Indianapolis)
brian.reitz@usdoj.gov